

Following our hearing, the Internet Drug Advisory Committee held a briefing for the Judiciary Committee on this matter. We heard from various members of the Internet community on how the private sector may effectively collaborate with the public sector to combat the sales of dangerous drugs online. These private sector groups will be vital in that effort, and we were happy to receive the benefit of their insights.

I understand full well the growing danger that illegitimate online pharmacies pose to youth. As the longtime cochair of the Congressional Internet Caucus, I know that the Internet offers tremendous benefits, but I also understand that dangerous and addictive drugs are often only a click away. As a former State's Attorney in Vermont, I will never forget how much successful prosecutions depend on whether the investigators and lawyers charged with protecting the public from crime have the right tools to do so. That is why we are in urgent need of this bill. No matter how dedicated we are to solving a problem, if the laws are not clearly and sensibly drafted, no justice will be done.

This legislation does many important things. First, the bill requires the Drug Enforcement Administration report to Congress on recommendations to combat the online sale of controlled substances from foreign countries via the Internet and on ways that the private sector can assist in this effort. A key ingredient in diminishing the impact of rogue Web sites on American citizens is combating the international aspect of this problem, and strengthening the public-private sector collaboration can help provide a solution.

Second, the legislation narrows the U.S. Sentencing Commission directive to ensure that the most dangerous prescription drugs abused online are treated more severely than less harmful prescription drugs. This addition will ensure that the Commission has clear guidance to issue the guidelines necessary to hold those individuals who peddle dangerous prescription drugs to minors online accountable.

Third, the bill protects legitimate retail drug chains with online Web sites for customers seeking refills on prescriptions, by exempting them from the bill's requirements. This ensures that the bill does not target legitimate pharmacies that provide Vermonters and other Americans with access to needed medicines, nor does it burden legitimate pharmacies with additional registration and reporting requirements.

I believe this legislation will be even better with these changes. I am confident that this legislation will strengthen our Nation's ability to effectively combat online drug trafficking. It also furthers the goals of drug enforcement and deterrence, while also providing Congress with additional oversight tools.

The administration supports this bill—and that is the right thing to do.

I know that our hard working men and women at the Drug Enforcement Agency need the added tools this bill will offer to assist their efforts to combat rogue online pharmacies. Even more, our children and grandchildren need the safety and security of operating online free from drug dealers seeking to trick them into purchasing dangerous controlled substances.

I urge the President to promptly sign this bill into law.

Mrs. FEINSTEIN. Mr. President, I thank my colleagues for supporting the Ryan Haight Online Pharmacy Consumer Protection Act.

This is the House companion legislation to the Senate bill that I originally introduced, with Senator SESSIONS, to protect the safety of consumers who wish to fill legitimate prescriptions for controlled substances over the Internet, while holding accountable those who operate unregistered pharmacies.

Today, Congress took the first important step in stemming the tide of online drug trafficking. Perhaps more importantly, Congress took the first steps toward ensuring that children and teens no longer overdose, or worse die, after purchasing controlled substances without a prescription from rogue Internet pharmacies.

This bill will do the following:

Bar the sale or distribution of all controlled substances over the Internet without a valid prescription;

Require online pharmacies to display on their Web site a statement of compliance with U.S. law and DEA regulations—allowing consumers to know which pharmacies are safe and which are not;

Clarify that rogue pharmacies that sell drugs over the Internet will face the same penalties as people who illegally sell the same drugs on the street;

Increase the Federal penalties for illegally distributing controlled substances;

And create a new Federal cause of action that would allow a State attorney general to shut down a rogue Web site selling controlled substances.

In addition, I would like to clarify that the Ryan Haight Online Pharmacy Consumer Protection Act of 2008 regulates practices related to the delivery, distribution, or dispensing of a controlled substance by means of the Internet. The act does not address the delivery, distribution, or dispensing of any noncontrolled substance by the Internet or any other means.

This bill does not infringe upon the powers of the Department of Health and Human Services and its Secretary with respect to noncontrolled substances. Nor does it infringe upon the traditional power of the States to regulate the practices of medicine and pharmacy with respect to the prescription of noncontrolled substances.

Delivery, distribution, or dispensing of noncontrolled substances, approved by the Secretary of Health and Human Services or the regulatory bodies of the States, are not affected by the act. The

Senate Committee report reflects Congress's intent related to this issue and is applicable to H.R. 6353.

In closing, I wish to share the story of this bill's namesake, Ryan T. Haight. Ryan was an 18-year-old honor student from La Mesa, CA, when he died in his home on February 12, 2001. His parents found a bottle of Vicodin in his room with a label from an out-of-State pharmacy.

It turns out that Ryan had been ordering addictive drugs online and paying with a debit card his parents gave him to buy baseball cards on eBay.

Without a physical exam or his parents' consent, Ryan had been obtaining controlled substances, some from an Internet site in Oklahoma. It only took a few months before Ryan's life was ended by an overdose on a cocktail of painkillers.

Ryan's story is just one of many. Rogue Internet pharmacies are making it increasingly easy for teens such as Ryan to access deadly prescription drugs. This bill is the first step against that terrible tide. It creates sensible requirements for Internet pharmacy Web sites that will not impact access to convenient, oftentimes cost-saving drugs.

I thank my House and Senate colleagues for passing this important bill. I also specifically thank Representatives BART STUPAK, LAMAR SMITH, JOHN CONYERS, MARY BONO MACK, and JOHN DINGELL, and Senators SESSIONS and LEAHY for their hard work and leadership in securing the passage of this bill.

I urge the President to sign this important legislation.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6353) was ordered to a third reading, was read the third time, and passed.

AUTHORIZING CERTAIN ACTIONS WITH RESPECT TO PARCELS OF REAL PROPERTY

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6524, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill H.R. (6524) to authorize the Administrator of General Services to take certain actions with respect to parcels of real property located in Eastlake, Ohio, and Koochiching County, Minnesota, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the

table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6524) was ordered to a third reading, was read the third time, and passed.

VESSEL HULL DESIGN PROTECTION AMENDMENTS OF 2008

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 931, H.R. 6531.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6531) to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased that the Senate today will pass the Vessel Hull Design Protection Act Amendments of 2008. The Senate unanimously passed a similar bill last year. This is a small, but important, piece of legislation and has bipartisan support. This updated version was introduced to address concerns of the Navy, and gives the Department of Defense full assurance that Government and defense designs will not be subject to unwarranted restrictions. I thank the cosponsors of the Senate's bill—Senator CORNYN, Senator KOHL, and Senator WHITEHOUSE—for all their hard work and contributions.

In 1998, Congress passed the Vessel Hull Design Protection Act to recognize the significant time, effort, and innovation that figure into ship design. Recent action in the courts has made it clear that in order to be effective, this law needs to be clarified and refined. This bill does exactly that, and no more, by clarifying the definition of "hull" and "deck." This ensures that the intellectual property rights of vessel hull designers will be protected.

I am pleased the Senate will adopt this measure today, and I look forward to the President signing it into law.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6531) was ordered to a third reading, was read the third time, and passed.

WEBCASTER SETTLEMENT ACT OF 2008

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7084, which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 7084) to amend section 114 of title 17, United States Code, to provide for agreements for the reproduction and performance of sound recordings by webcasters.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased that the Senate has passed the Webcaster Settlement Act of 2008, a short but important bill for all of us who love to listen to music online. I have long championed the development of new business models for transmitting music to the public, and I have been delighted to see the webcasting community grow and prosper. From tiny operations serving the smallest of musical niches, to collegiate stations playing cutting edge performers, to large established webcasters providing a whole new array of services to listeners, the online music world has truly blossomed in the last 10 years. But with all new growth comes growing pains, and we also must be constantly vigilant to ensure that the development of new business interests does not come at the expense of settled property rights.

When webcasting was even younger, I sponsored the Small Webcasters Settlement Act of 2004, which established a Copyright Royalty Tribunal to replace the old Copyright Arbitration Royalty Panel as the administrative body for determining—in the absence of privately negotiated contracts—the royalty rates to be paid by online music providers to the performers who hold the copyrights in that music. The new system has seen its first adjudications, and this legislation reflects the need for a slight readjustment in that system. The bill simply extends the time to next February during which the parties can negotiate their own rates, even after the CRB proceeding, and will permit any deal that is negotiated by that time to bind the interested parties.

I am not, in the normal course, a proponent of legislative readjustments like this one, but I understand the advisability of this particular extension. I will not, however, sanction repeated returns to Congress if webcasters are again dissatisfied with the results of a system that they urged upon us in 2004, and which they applauded when it was created. The parties on both sides of these agreements—the webcasters and the copyright owners—would be well advised to consider these negotiations seriously, and to behave appropriately. The rights of our creative artists are the life blood of the entire music industry, including that of the online music providers, and we all owe them respect.

I trust the parties when they tell us that the time extension will allow them to come to terms that will ensure mutual benefit to them, and ultimate benefit to all the listeners, like myself, who enjoy music transmitted over the Internet. I am pleased the Congress has passed this measure before recessing.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the bill be

read three times and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 7084) was ordered to a third reading, was read the third time, and passed.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 99-498, as amended by Public Law 110-315, appoints the following individual to the Advisory Committee on Student Financial Assistance: Norman Bedford of Nevada.

The PRESIDING OFFICER. The Chair, on behalf of the Minority Leader, pursuant to Public Law 110-183, announces the appointment of the following individual as a member of the Commission on the Abolition of the Transatlantic Slave Trade: Rainier Spencer of Nevada.

Mr. SALAZAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL GUARD AND RESERVISTS DEBT RELIEF ACT OF 2008

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 963, S. 3197.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 3197) to amend title 11, United States Code, to exempt for a limited period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 3197

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Guard and Reservists Debt Relief Act of 2008".